

ORDINANCE NO. 45-977

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY CITY OF WICHITA CODE SEC. 28.04.010.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3350

Zone change request from "SF-5" Single-Family Residential District to "LC" Limited Commercial District, and to P-O #63 - Protective Overlay District, on property described as:

The west 137.9 feet of King's Maple Street Third Addition, Wichita, Sedgwick County, Kansas.

Generally located south of Maple and east of Ridge Road.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. No off-site or portable signs shall be permitted on the property. No building advertising signs shall be permitted along the face of any building.
2. Light poles shall be of the same color and design and shall have cut-off fixtures that direct light away from nearby residential areas. Light poles shall be limited to a maximum height of 14 feet.
3. Outdoor speakers and sound amplification systems shall not be permitted.
4. No building shall exceed one story in height, with a maximum building height of 25 feet.
5. A six-foot high masonry wall shall be constructed along the south and east property lines where a residential zoning district abuts the site
6. The following uses shall not be permitted: Adult entertainment establishment, group residence, correctional placement residence, group home, recycling collection station, reverse vending machine, car wash, convenience store, night club, recreation and entertainment, restaurant with drive-in or drive-thru facilities, service station, tavern and drinking establishment and vehicle repair.
7. By separate instrument, the applicant shall dedicate additional right-of-way for Ridge Road (pursuant to Article 7-201 (H) of the Wichita-Sedgwick County Subdivision Regulations), access control except for one opening along the entire frontage of Ridge Road and two additional feet (for a total of 10 feet) of utility easement along the east property line.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this February 3, 2004.

ATTEST:

Karen Schofield, City Clerk

Carlos Mayans, Mayor

(SEAL)

Approve as to form:

Gary E. Rebenstorf, City Attorney